

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARC S. KIRSCHNER
As Trustee of the Refco Private Actions Trust

Plaintiffs,

v.

PHILLIP R. BENNETT, SANTO C. MAGGIO,
ROBERT C. TROSTEN, MAYER, BROWN,
ROWE & MAW, LLP, GRANT THORNTON
LLP, and ERNST & YOUNG U.S. LLP

Defendants.

Case No. 07 Civ. 8165 (GEL)

**MOTION FOR *PRO HAC*
VICE ADMISSION OF
MICHAEL S. SUNDERMEYER**


Pursuant to Local Civil Rule 1.3(c), undersigned counsel respectfully moves for

the admission *pro hac vice* of the following attorney in the above-captioned matter:

Michael S. Sundermeyer, Esquire
Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Tel. (202) 434-5000
Fax. (202) 434-5029

Mr. Sundermeyer is a member in good standing of the bar of the District of Columbia and there are no pending disciplinary proceedings against Mr. Sundermeyer in state or federal court. This Motion is based on the accompanying Affidavit of Thomas G. Ward and Certificates of Good Standing from the Virginia, Maryland and District of Columbia Bars. A proposed Order is attached hereto.

Respectfully submitted,

By: 
Thomas G. Ward (TW-6255)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Tel. (202) 434-5000
Fax. (202) 434-5029

Counsel for Defendant Mayer Brown LLP

Dated: Washington, DC
February 19, 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARC S. KIRSCHNER
As Trustee of the Refco Private Actions Trust

Plaintiffs,

v.

PHILLIP R. BENNETT, SANTO C. MAGGIO,
ROBERT C. TROSTEN, MAYER, BROWN,
ROWE & MAW, LLP, GRANT THORNTON
LLP, and ERNST & YOUNG U.S. LLP

Defendants.
-----X

Case No. 07 Civ. 8165 (GEL)

**AFFIDAVIT OF THOMAS G.
WARD IN SUPPORT OF
MOTION FOR *PRO HAC*
VICE ADMISSION OF
MICHAEL S. SUNDERMEYER**

I, THOMAS G. WARD, declare as follows:

1. I am an attorney with the law firm of Williams & Connolly LLP, attorneys for Defendant in the above-captioned matter, and a member in good standing of the bar of this Court since March 28, 2005. I submit this affidavit in support of the Motion for *Pro Hac Vice* Admission of Michael S. Sundermeyer in the above-captioned matter pursuant to Local Civil Rule 1.3(c).

2. I have known Mr. Sundermeyer since November 1998. Mr. Sundermeyer is an attorney of the highest ethical and moral character, competence and experience, and I am confident that he will conduct himself accordingly before this Court.

3. Mr. Sundermeyer is a member in good standing of the bars of Maryland, Virginia and the District of Columbia. In connection with this motion, I am submitting Certificates of

Good Standing issued by these three bars. I am aware of no pending disciplinary proceedings against Mr. Sundermeyer in any state or federal court.

4. For the foregoing reasons, I respectfully move the *pro hac vice* admission of Michael S. Sundermeyer in the above-captioned matter. For the Court's convenience, a proposed order granting this motion is attached hereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Washington, D.C. on February 19, 2008.



Thomas G. Ward (TW-6255)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
(202) 434-5000

Counsel for Defendant Mayer Brown LLP

CERTIFICATE OF SERVICE

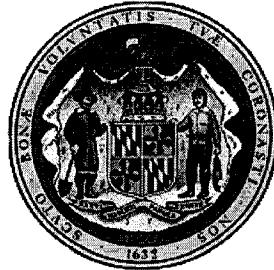
I, Thomas G. Ward, hereby certify that on this 19th day of February, 2008, I caused true and correct copies of the Motion for *Pro Hac Vice* Admission of Michael S. Sundermeyer and Affidavit of Thomas G. Ward in Support of Motion for *Pro Hac Vice* Admission of Michael S. Sundermeyer to be served via first class mail upon the following:

Sascha N. Rand QUINN EMANUEL URQUHART OLIVER 111 South Wacker Drive Chicago, Illinois 60606 <i>Counsel to Plaintiff Marc S. Kirschner, As Trustee for the Refco Private Actions Trust</i>	John R. McCambridge GRIPPO AND ELDEN LLC & HEDGES LLP 51 Madison Avenue, 22nd Floor New York, NY 10010 <i>Counsel to Plaintiff Trustee of the Refco Litigation Trust</i>
Bradley E. Lerman David Emilio Mollon Steven M. Schwartz Catherine W. Joyce Linda T. Coberly WINSTON & STRAWN LLP 35 W. Wacker Drive Chicago, Illinois 60601 <i>Counsel to Defendant Grant Thornton, LLP</i>	Anthony Mathias Candido Joel Michael Cohen Timothy Casey CLIFFORD CHANCE US, LLP West 52nd Street New York, NY 10019 <i>Counsel to Defendant Mayer Brown International LLP</i>
Miles N. Ruthberg Christopher R. Harris Elizabeth Heering Hickey LATHAM & WATKINS 885 Third Avenue New York, New York 10022 <i>Counsel to Defendant Ernst & Young Us. LLP</i>	Scott E. Hershman Stephen R. Blacklocks Richard Soto BELL & PESKIE LLP HUNTON & WILLIAMS LLP 200 Park Avenue New York, NY 10166-0091 <i>Counsel to Defendant Santo C. Maggio</i>
Barbara Moses Rachel Korenblat MORVILLO, ABRAMOWITZ, GRAND, IASON, ANELLO & BOHERER, P.C. 565 Fifth Avenue New York, New York 10017 <i>Counsel to Defendant Robert C Trosten</i>	

A handwritten signature in black ink, reading "Thomas G. Ward". The signature is written in a cursive style with a horizontal line underneath it.

Thomas G. Ward (TW-6255)

**Court of Appeals
of Maryland
Annapolis, MD**



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Alexander L. Cummings, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the third day of December, 1982,*

Michael S. Sundermeyer

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

In Testimony Whereof, *I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
twenty-fourth day of January, 2008.*

Alexander L. Cummings

Clerk of the Court of Appeals of Maryland

Supreme Court of Virginia

AT RICHMOND

Certificate

I, Patricia L. Harrington, Clerk of the Supreme Court of Virginia,
do hereby certify that

MICHAEL SHOBE SUNDERMEYER

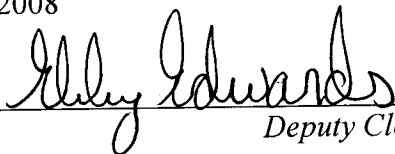
was admitted to practice as an attorney and counsellor at the bar of this Court on
November 22, 1976.

I further certify that so far as the records of this office are
concerned, MICHAEL SHOBE SUNDERMEYER is a member of the bar of
this Court in good standing.

Witness my hand and seal of said Court

This 28th day of January

A.D. 2008

By: 
Deputy Clerk



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

Michael S. Sundermeyer

was on the 29th day of July, 1977
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on January
24, 2008.

GARLAND PINKSTON, JR., CLERK

By: *[Signature]*
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
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As Trustee of the Refco Private Actions Trust

Plaintiffs,

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PHILLIP R. BENNETT, SANTO C. MAGGIO,
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Defendants.
-----X

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: Case No. 07 Civ. 8165 (GEL)
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**ORDER ADMITTING COUNSEL
PRO HAC VICE**

This matter having been brought before the Court by motion pursuant to Local
Civil Rule 1.3(c) for the admission *pro hac vice* of Michael S. Sundermeyer, Esquire, in the
above-captioned matter, it is this ____ day of _____ 2008, hereby

ORDERED that the motion is GRANTED, and

IT IS FURTHER ORDERED THAT Michael S. Sundermeyer shall be admitted
pro hac vice in the above-captioned matter. Counsel shall remit the required \$25 fee to the
Cashier's Office for this *pro hac vice* admission.

SO ORDERED.

Dated: New York, NY

_____, 2008

The Honorable Gerard D. Lynch
United States District Judge